



Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (559) 224-1523, FAX: (559) 241-6277

April 24, 2019

SENT VIA ELECTRONIC MAIL

Mr. Chris Saeger
Executive Director
Western Values Project
704C East 13th Street, Suite 568
Whitefish, MT 59937

Mr. Hamilton Candee
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, CA 94108

Re: California Public Records Act Request

Mr. Candee:

Westlands Water District ("District") hereby responds to the Western Values Project Public Records Act request, dated May 4, 2017, which seeks the following records pursuant to California Government Code § 6250 et seq:

- all correspondence, including attachments with David Bernhardt since and including May 4, 2010 that involves any of the following individuals:
 - Any member of the Westlands Water District Board of Directors during this time-period
 - Thomas W. Birmingham, or anyone else holding the position of "General Manager" during this time-period.
 - Philip Williams, or anyone else holding the position of "General Counsel" during this time-period.
 - Dan Pope, or anyone else holding the position of "Chief Operating Officer" during this time-period.
 - Shelly Ostrowski, or anyone else holding the position of "Associate General Manager - Water Policy" during this time-period.
 - Johnny Amaral, or anyone else holding the position of "Deputy General Manager - External Affairs" during this time-period.
 - Sheila Greene, or anyone else holding the position of "Science Advisor" during this time-period.
 - Jose Gutierrez, or anyone else holding the position of "Deputy General Manager - Resources" during this time-period.
 - Russ Freeman, or anyone else holding the position of "Supervisor of Resources" during this time-period.

Pursuant to the Public Records Act, please find enclosed copies of non-exempt responsive records.

Where multiple copies of the same non-exempt, responsive record were within the District's possession (most often, if not exclusively, where an e-mail was sent to more than one of the District's staff), only one copy of the record has been produced. If you would like multiple copies of such records, please let me know.

The District has determined that: (1) certain responsive records are exempt from disclosure under the Government Code, and (2) some of the information (account information, e-mail addresses) in otherwise non-exempt records should be redacted.

The bases for these determinations are that certain records are exempt because they:

- pertain to pending litigation (Govt. Code § 6254(b));
- the disclosure is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code (Govt. Code § 6254(k));
- are preliminary drafts, notes, or interagency or intra-agency memoranda that are not retained by the public agency in the ordinary course of business (Govt. Code §6254(a)); and /or
- reflect the deliberative process (Govt. Code §6255)

Information redacted from records provided is based on the public interest exemption and to protect privacy or for security purposes.¹

The District continues to diligently review its files for non-exempt records and anticipates that by May 13, 2019, it will provide you with any additional non-exempt records, inform you that certain responsive records are exempt from disclosure under the Government Code, and/or inform you that there are no more non-except records for production.

If you have any questions regarding this matter, please contact me at directly at (559) 241-6215.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jose Gutierrez", with a stylized flourish at the end.

Jose Gutierrez
Chief Operating Officer

¹ The District reserves the right to rely on any other exemptions applicable for the records requested.